

EXPEDITED ACTION MEMORANDUM for Immediate Removal Action at
the Tidewater Baling Site, Newark, Essex County, New Jersey

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In response to the State of New Jersey's request that the EPA consider the site for CERCLA removal action, a site removal evaluation has been performed. During a site visit to determine off-site flow patterns, oily discharge was observed leaving the Tidewater Baling Company, Inc. (Tidewater) property which was impacting an area of the adjacent Ironbound Recreational grounds known as the marshy area under the "scoreboard" (see attached site layout). A Field Notice of Release under CERCLA jurisdiction, has been issued to Tidewater to cease discharging to the marshy area giving them 10 days to respond as to how they will correct the situation. The same Notice is to be given to Conrail.

Also, Field Notices to prevent direct contact with hazardous substances at the marshy area, have been issued to Tidewater and the City of Newark with a one (1) working day response time.

Both entities have declined to take appropriate action on the marshy area.

EPA plans to repair the fence around the marshy area under the scoreboard, including replacing some 500 feet in one area and installing a large gate in another area. Hazardous Waste warning signs in three languages will be suitably placed. Absorbent material will be placed at selected locations to trap for disposal any oily material escaping from the marsh. One end of the marsh will be bermed to prevent liquid from flowing toward the ball playing end of the recreational area grounds.

On several occasions as many as 35 children, plus many adults, have been observed playing on the recreational grounds ignoring the warning signs installed by the City of Newark on the perimeter fence when the City closed the playground. One of the principal pathways of access to the grounds is through the marshy area.

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2ERR:RAB 2ERR:RAB 2ERR:ADREPP 2ERR:ADEP 2ERR:DD 2ORC:NJSUP 2ERRD
DOMINACH ZACHOS SALKIE PAVLOU CALLAHAN KARLEN LUFTIG

Sampling of soils by the State in the marshy area has confirmed the presence of PCB's at 100 ppm, lead at 130 ppm, arsenic at 26 ppm, cadmium at 3.3 ppm, hexavalent chromium at 5.6 ppm and zinc at 250 ppm. All the above are hazardous substances as defined in CERCLA, and hazardous wastes or hazardous constituents as defined in RCRA. Tidewater has taken action and removed much of the more obviously contaminated soil, however, prolonged continuous discharges have recontaminated the area. Much higher levels of contamination have been found in materials on the Tidewater Baling property.

The State has issued an Administrative Consent Order to Tidewater but they have not complied with its directives. The State is also working with the city concerning other contamination found on the recreational grounds involving phenols purportedly placed there by the Celanese Corporation.

An oil, allegedly emanating from the Ironbound Recreational Building ice skating facility, is being addressed under a separate Field Expedited Notice for oil spills.

The agency is also planning to issue an Order to Tidewater to remove PCB's improperly stored on site. Office of Regional Counsel and the TSCA Branch have been notified of the pending CERCLA and Clean Water Act actions.

The proposed project ceiling for the expedited action is \$100,000, of which \$50,000 is for mitigation contracting monies and \$50,000 is for TAT and EPA operating costs.

An Action Memorandum dealing with the full details regarding this complex site will follow.

It is recommended that you approve this proposed removal action as given above. This site meets the criteria for a removal action under 40 CFR Section 300.65(b)(2) of the National Oil and Hazardous Substance Pollution Contingency Plan, in that there exists:

1. Actual or potential exposure to hazardous substances or pollutants or contaminants by nearby populations, animals or foodchain [(b)(2)(i)];
2. The availability of other appropriate Federal or State response mechanisms to respond to the release [(b)(2)(vii)].

As required by Section 104(a)(2) of CERCLA, as amended by SARA, this removal action will contribute to the efficient performance of the long term remedial actions that are planned for this site.

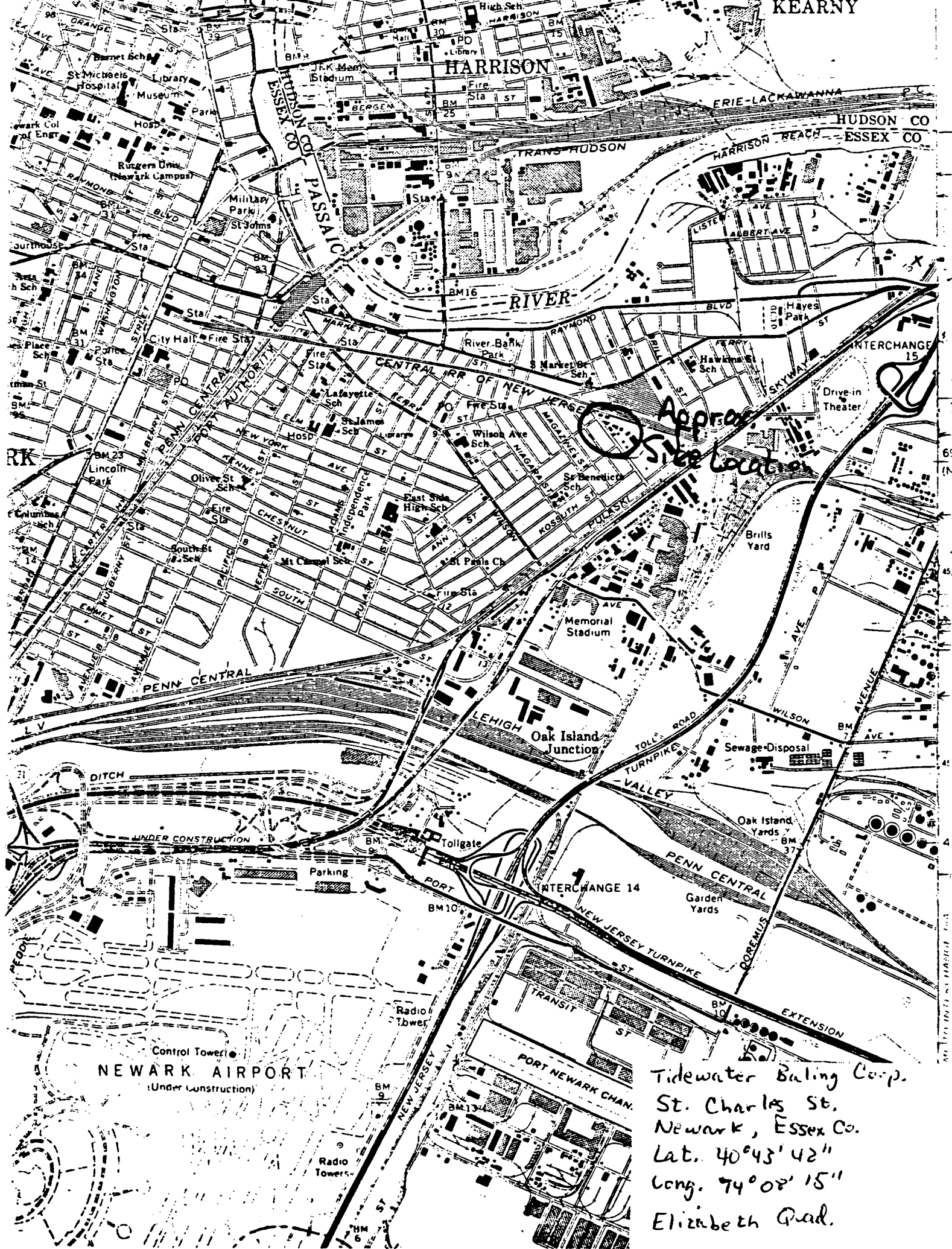
Please indicate your approval and authorization of funding for the Tidewater Baling site by signing below per current delegation of authority. There are funds available in the region's current Advice of Allowance for this project.

Approved _____ Date _____
Stephen D. Luftig, Director

Disapproved _____ Date _____
Stephen D. Luftig, Director

cc: (after approval is obtained)

S. Luftig, 2ERR
R. Salkie, 2ERR-ADREPP
G. Zachos, 2ERR-RAB
G. Pavlou, 2ERRD-ADEP
D. Santella, 2ERRD-PSB
D. Karlen, 2ORC-NJSUP
R. Gherardi, 2OPM-FIN
S. Anderson, PM-214F (EXPRESS MAIL)
T. Fields, OS-210
J. Trela, NJDEP
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C. Moyik, 2ERRD-PS
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J. Rosianski, 2OEP
S. Murphy, 2OPM-FAM



Tidewater Baling Corp.
St. Charles St.
Newark, Essex Co.
Lat. 40°43'42"
Long. 74°08'15"
Elizabeth Quad.

